

D/F

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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	:	
HONG MAI,	:	06-CV-2978 (ARR)(CLP)
	:	
Plaintiff,	:	
	:	
-against-	:	<u>NOT FOR</u>
	:	<u>PRINT OR ELECTRONIC</u>
CARL RABUM, Commissioner of the	:	<u>PUBLICATION</u>
Social Security Administration	:	
	:	
Defendant.	:	<u>ORDER</u>
	:	
-----	X	

ROSS, United States District Judge:

The court has received the Report and Recommendation on the instant case dated May 4, 2010 from the Honorable Cheryl L. Pollak, United States Magistrate Judge. No objections have been filed. Accordingly, the court has reviewed the Report and Recommendation for clear error on the face of the record. See Advisory Comm. Notes to Fed. R. Civ. P. 72(b); accord Edwards v. Town of Huntington, No. 05 Civ. 339 (NGG) (AKT), 2007 U.S. Dist. LEXIS 50074, at *6 (E.D.N.Y. July 11, 2007); McKoy v. Henderson, No. 05 Civ. 1535 (DAB), 2007 U.S. Dist. LEXIS 15673, at *1 (S.D.N.Y. March 5, 2007). Having reviewed the record, I find no clear error. I hereby adopt the Report and Recommendation, in its entirety, as the opinion of the Court pursuant to 28 U.S.C. § 636(b)(1).

Therefore, plaintiff's motion for leave to file the Proposed Complaint is denied as plaintiff has filed a new civil action. See No. 10-cv-2028 (ARR) (CLP).

SO ORDERED.

S/Judge Ross

Allyne R. Ross
United States District Judge

Dated: May 28, 2010
Brooklyn, New York

SERVICE LIST:

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cc: Magistrate Judge Pollak